

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

*

*

VS

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NO. 03-CR-10385-RGS

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KIRK RINALDI

*

THIRD MOTION TO WITHDRAW AS DEFENSE COUNSEL

The undersigned hereby moves a third time to withdraw as defense counsel for the defendant, Kirk Rinaldi, because the defendant believes undersigned counsel is unable to properly represent him at trial, for various reasons, among others, that counsel (a) has been dilatory in his efforts on defendant's behalf, (b) has failed to pursue assignments defendant has tasked counsel with, (c) that there has been a lack of communication and commitment by counsel with the defendant, and (d) that counsel has failed to visit with him at his place incarceration for over one year, so that the defendant "no longer has faith or trust in counsel's work." Defendant has more fully described his disfavor with undersigned counsel in a letter and three-page motion dated June 23, 2007, which he has recently filed with this court, a copy of which was only received by undersigned counsel on Friday, July 6, 2007.

Wherefore, in the interest of justice the court should allow the undersigned's withdrawal as defense counsel in this case and that a substitute counsel be appointed for the defendant.

July 9, 2006

/s/ Karnig Boyajian
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